

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the present application are respectfully requested in view of the amendments to the claims and remarks presented herewith, which place the application into condition for allowance. Applicants thank Examiner Woolwine for withdrawing all of the previous rejections under 35 U.S.C. §103(a).

**Status of the Claims and Formal Matters**

Claims 1-7, 14-18, 20, and 23-26 are currently pending in this application. Claims 9-11, 27-35 were previously withdrawn. By this paper, Claim 1 has been amended, without prejudice, and solely to expedite prosecution pursuant to the U.S. Patent and Trademark Office Business Goals (65 Fed. Reg. 54604 (September 8, 2000)). No new matter has been introduced by these amendments. Support for the amendments can be found throughout the specification as originally filed, particularly at page 13, lines 13-15 of the instant application published as WO2004/029294.

**Rejections under 35 U.S.C. §112, 2<sup>nd</sup> Paragraph**

Claims 1-7, 14-18, 20, and 23-26 were rejected under 35 U.S.C. §112, 2<sup>nd</sup> paragraph as allegedly being unclear for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Office Action contends that the recitation of trademark/trade names “Superscript™” and “Thermoscript™” do not comply with the requirements of §112. Amended Claim 1 now recites “AMV RT mutant completely lacking RNase H activity” (corresponding to the Thermoscript AMV RT) and “M-MuLV RT mutant completely lacking RNase H activity” (corresponding to the Superscript II M-MuLV RT and Superscript II RNase H RT). Support for the amended recitations can be found at, for example, page 13 lines 13-15 of the instant application published as WO2004/029294. Amended Claim 1 and claims depending therefrom are now in full compliance with the provisions of §112, 2<sup>nd</sup> paragraph. This rejection should be withdrawn.

**Rejections under 35 U.S.C. §112, 1<sup>st</sup> Paragraph**

Claims 1-7, 14-18, 20, and 23-26 were rejected under 35 U.S.C. §112, 1<sup>st</sup> paragraph as allegedly failing to comply with the written description requirement. The Office Action contends that the claims allegedly contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor had possession of the claimed invention at the time the application was filed. In particular, the Office Action alleges that the term “wherein the DNA or RNA primer comprises dATP or ATP that is replaced with alpha-S-dATP” is not supported in the application as filed. Applicants have amended instant Claim 1 to incorporate the Examiner’s proposed amendment, thereby obviating this rejection. Applicants respectfully request reconsideration and withdrawal of this rejection.

**CONCLUSION**

Favorable action on the merits is respectfully requested. If any discussion regarding this Response is desired, the Examiner is respectfully urged to contact the undersigned at the number given below, and is assured of full cooperation in progressing the application to allowance.

No fee is believed to be due with this Response; however, if any fees are required or if any funds are due, the USPTO is authorized to charge or credit Deposit Account Number 50-0311, Customer Number: 35437, Reference Number: 21465-523 NATL.

Respectfully submitted,

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